

REMARKS

Reconsideration of this application is requested.

A Terminal Disclaimer with respect to Appln. No. 10/531,092 is attached hereto. This should obviate the Examiner's provisional double-patenting rejection of claims 1-7 and 9-11.

A minor correction has been made in claim 1 to delete the duplicated reference to "and" (last line).

The claims have been amended to obviate the Examiner's Section 102(b) rejection of claims 2, 3, 7 and 9-11 based on Robertson et al., the Section 102(e) rejection of claims 2-4, 7 and 9-11 based on Andrievsky et al. and the Section 103(a) rejection of claims 2-4, 7 and 9-11 based on Kanaya et al.

More specifically, claim 2 has been amended to include the limitations of claim 5, which was not included in the Section 102(b), Section 102(e) or Section 103(a) rejections. As a consequence, claims 3, 4 and 5 have been deleted.

The foregoing amendments leave claims 1, 2, 6, 7 and 9-11 pending in the application. These claims are all thought to define subject matter which is new and not obvious from the cited art. Claims 1 and 5 (now claim 2) were not included in the Examiner's art rejections and clearly distinguish over the citations in the sense of both Sections 102(b) and 102(e) and Section 103(a), while claims 6, 7 and 9-11 all depend from claim 1 and/or claim 2 and thus distinguish over the art for the same reasons as claims 1 and 2.

In view of the foregoing and the attached disclaimer, the Examiner is requested to reconsider the rejections of record and allow the application.

Respectfully submitted,

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